

**DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. CROIX**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**TERRITORY OF THE VIRGIN ISLANDS,  
et al.,**

**Defendants.**

**Civil Action No. 1986-265**

**NOTICE OF STAY OF PROSPECTIVE RELIEF**

The Prison Litigation Reform Act contains an automatic stay provision, which states that a motion to terminate prospective relief “shall operate as a stay” of that relief during the period “beginning on the 30th day after such motion is filed” (extendable to 90 days for good cause) and “ending on the date the court enters a final order ruling on the motion.” 18 U.S.C. § 3626(e)(2)-(3). Through this provision, “Congress clearly intended to make operation of the automatic stay mandatory, precluding courts from exercising their equitable powers to enjoin the stay.” *Miller v. French*, 530 U.S. 327, 350 (2000).

On July 28, 2011, Defendants filed a Motion to Terminate Prospective Relief, thus triggering the 30-day clock under Section 3626(e)(2). On August 26, 2011, this Court entered an Order granting Plaintiff’s Unopposed Motion to Postpone Automatic Stay Pursuant to the Prison Litigation Reform Act. (Dkt. No. 584). Consistent with the provisions of Section 3626(e)(3), this Order allowed an extra 60 days for good cause and delayed the effective date of the automatic stay until October 27, 2011.

By this Notice, the parties are notified that all prospective relief in this matter is stayed effective October 27, 2011, until this Court enters a final order ruling on Defendant's Motion to Terminate Prospective Relief. For purposes of this statutory stay, the Consent Decree of 1986 (Dkt. No. 3), together with any and all prospective relief embodied in the Plan of Compliance of 1990 (Dkt. No. 57), Stipulated Agreement of 2003 (Dkt. No. 148), 2006 Contempt Order (Dkt. No. 231), Order of May 15, 2007 (Dkt. No. 304), Order of December 10, 2009 (Dkt. No. 445), Order of February 22, 2010 (Dkt. No. 457), and Order of December 6, 2010 (Dkt. No. 509), is stayed.

Date: October 26, 2011

\_\_\_\_\_/s/\_\_\_\_\_  
WILMA A. LEWIS  
District Judge